

REMARKS

This Amendment is being filed in response to the Office Action mailed November 12, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-18 remain in this application, where claims 10-18 have been added. Claims 1, 8 and 9 are independent.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1-9 have been amended for non-statutory reasons, such as for better form including beginning the independent claims with 'A', beginning the dependent claims with 'The' instead of 'A', and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1-9 were not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner objected to the drawings because of lack of labels and for note showing the frame memory. It is respectfully submitted that FIG 1 shows the memory having a reference numeral 8. Further, labels have been added to FIG 1. A replacement sheet including FIG 1 is enclosed. Applicants respectfully request approval of the enclosed proposed drawing changes and withdrawal of the drawing objection.

In the Office Action, claims 1-9 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 7,123,220 (Hanari) in view of U.S. Patent No. 7,053,881 (Itoh). Further, claims 1-4, 6 and 8-9 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,451,979 (Levac). It is respectfully submitted that claims 1-18 are patentable over Hanari, Itoh and Levac for at least the following reasons.

Hanari is directed to a self-luminous display device, where each luminous element is connected to the power supply section via a dimmer switch portion. As correctly noted on page 4, last paragraph, Hanari fails to disclose or suggest "duty cycle control means for varying a fraction of a frame period during which said display pixels emit light in dependence on a total brightness level

for a frame of an image to be displayed on said display panel," as recited in independent claim 1, and similarly recited in independent claims 8 and 9. Itoh is cited in an attempt to remedy the deficiencies in Hanari.

Itoh is directed to an image display device capable of presenting to a viewer a high-quality lustrous video. As specifically recited in the abstract, and the x-axis of FIG 3A, the average brightness is detected and used for display control.

Levac is directed to "a display in which the fluctuations in power supply output are controlled by changing the duty cycle with which the lights are energized as a function of the number of lights energized." (Column 1, lines 49-53; emphasis added)

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claims 8 and 9, amongst other patentable elements recites that (illustrative emphasis provided):

duty cycle control means for varying a fraction of a frame period during which said display pixels emit light in dependence on a total brightness level for a frame of an image to be displayed on said display panel.

Varying a fraction of a frame period during which the display

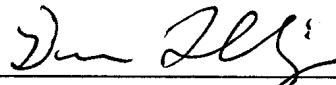
pixels emit light in dependence on a total brightness level for a frame of an image to be displayed is nowhere disclosed or suggested in Hanari, Itoh, Levac, and combinations thereof. Rather, Itoh discloses using the average brightness for display control, and Levac discloses using the number of lights energized for display control.

Accordingly, it is respectfully submitted that independent claims 1, 8 and 9 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-7 and 10-18 should also be allowed at least based on their dependence from amended independent claims 1, 8 and 9.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: Replacement drawing sheet (1 sheet including FIG 1)

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